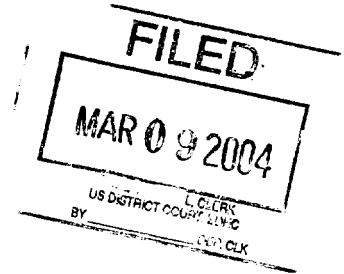


**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
5:03-CV-313-H(3)**



DBM SYSTEMS, INC.,                     )  
  )  
                          Plaintiff,         )  
  )  
                          v.                    )  
  )  
MUNIS, INC. and TYLER                 )  
TECHNOLOGIES, INC.                    )  
                          Defendants.        )

**JOINT MOTION TO AMEND  
AND EXTEND SCHEDULING ORDER**

Plaintiff and defendants, through counsel, respectfully move the Court for an order amending the 2 July 2003 scheduling order in this matter, so as to extend the deadlines for completion of discovery and for filing of dispositive motions for a period of forty four days, and in support of this motion state the following:

1. The original scheduling order entered in this matter on 2 July 2003 specified that all discovery be concluded by 1 April 2004, and that all potentially dispositive motions be filed by 3 May 2004.
2. The parties have conducted extensive written discovery, and depositions presently are ongoing.
3. Recently, the parties have begun preliminary discussions intended to gauge the likelihood of a possible settlement. Counsel for the parties have agreed that it may be productive to engage in a formal mediation of this matter, and have agreed upon a potential mediator. This mediator, however, is not available until mid-April.

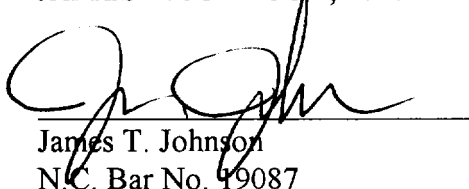
4. The parties intend to continue taking depositions of fact witnesses, but desire to postpone the depositions of experts, and to postpone the dispositive motions deadline, until after the mediation. Obviously, a successful mediation would render such events unnecessary.
5. The 2 July 2003 scheduling order has not previously been amended, and has calendared the matter for trial on or after 7 September 2004.

WHEREFORE, the parties respectfully pray for an order amending the 2 July 2003 scheduling order in this matter to extend deadlines as follows:

1. All discovery will be concluded by 14 May 2004.
2. Pursuant to Local Civil Rule 7.1, E.D.N.C., all potentially dispositive motions will be filed by 14 June 2004.

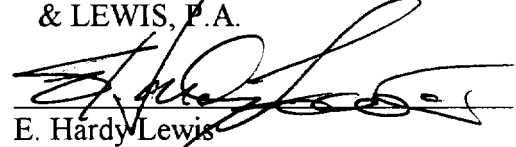
Respectfully submitted, this the 9<sup>th</sup> day of March, 2004.

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